IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

WP(C).No. 12749 of 2007(P)

PETITIONER:

VELAYUDHAN.C.K., AGED 59,
S/O.C.V.KOCHUNNY, CHULLIPARAMBIL,
OLLUR VILLAGE, ANJERY DESOM, THRISSUR TALUK.

BY ADV. SRI.SAJITH KUMAR KANGHINGHAT
SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS:

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1. VILLAGE OFFICER, VILLAGE OFFICE,
OLLUR, THRISSUR.

2. RICHU ANTONY, AGED ABOUT 35,
S/O.THADIKARAN ANTHONY, OLLUR VILLAGE AND
DESOM, THRISSUR TALUK.

3. PREEJA ANTONY, AGED ABOUT 30 YEARS,
W/O.RICHU ANTONY, OLLUR VILLAGE AND DESOM,
THRISSUR TALUK.

4. STATE OF KERALA, REPRESENTED THROUGH
ITS CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM.

BY GOVT.PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J

W.P.(C)NO.12749 of 2007

Dated this the 12th day of April, 2007

JUDGMENT

The petitioner seeks a direction to the first respondent Village Officer not to issue possession certificate to respondents 2 and 3 in respect of certain properties which the petitioner claims to be his. Admittedly, in respect of the same subject matter, O.S.915/2007 which is filed by the petitioner, is pending before the Munsiff's Court, Thrissur. That being so, if I passed any orders in this writ petition, it would certainly affect the rights of the defendants in that suit. Therefore, the appropriate remedy available to the petitioner is to move a petition in that suit itself for the reliefs prayed for in this writ petition. Therefore, without prejudice to such rights, this writ petition is dismissed.

S.SIRI JAGAN, JUDGE

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